

## REMARKS

Claims 1-27 are pending in the present application. No claims were canceled; claims 1, 10, 14-16, 19, and 23-26 were amended; and no claims were added. Reconsideration of the claims is respectfully requested.

Amendments were made to the specification to correct errors and to clarify the specification in accordance with issues identified by the examiner. Specifically, the specification was amended to add the missing application number for a related copending application and to adjust the length of the abstract such that it does not exceed 150 words in length. The amended abstract is now 150 words in length. No new matter has been added by any of the amendments to the specification.

### **I. 35 U.S.C. § 102, Anticipation**

The examiner has rejected claims 1-7, 9-16, 18-25, and 27 under 35 U.S.C. § 102 as being anticipated by Jones (US PG Pub 2002/0188841). This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 32 U.S.P.Q.2d 1031, 1034 (Fed. Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983).

Claim 1, as presently amended, includes the limitation of “determining a nearest storage location and associated local knowledge management server for the requested digital asset.” Such a feature is neither taught nor suggested by Jones. Thus, claim 1, as amended, is not anticipated by Jones. Claims 10 and 19 contain similar limitations to claim 1. Therefore, claims 10 and 19 are not anticipate by Jones.

Since claims 2-7, 11-16, 18, 20-25, and 27 depend from claim 1, 10, and 19 respectively, the same distinctions between Jones and the claimed invention in claims 1, 9, and 19 apply for these claims as well. Consequently, it is respectfully urged that the rejection of claims 2-7, 11-16, 18, 20-25, and 27 have been overcome.

Therefore, the rejection of claims 1-7, 9-16, 18-25, and 27 under 35 U.S.C. § 102 has been overcome.

## II. 35 U.S.C. § 103, Obviousness

The examiner has rejected claims 8, 17, and 26 under 35 U.S.C. § 103 as being unpatentable over Jones as applied to claim 1 above, and further in view of Kobata (US PG Pub 2002/0077986). This rejection is respectfully traversed.

Claims 8, 17, and 26 depend from claims 1, 9, and 19 respectively. Claims 1, 9, and 19 have been amended to include the limitation of determining a nearest storage location and associated local knowledge management server for the requested digital asset.” Such a feature is neither taught nor suggested by either Jones or Kobata individually or in combination with each other. Thus, claims 8, 17, and 26 are not rendered obvious by Jones in view of Kobata.

Therefore, the rejection of claims 8, 17, and 26 under 35 U.S.C. § 103 has been overcome.

## III. Conclusion

It is respectfully urged that the subject application is patentable over Jones and Kobata and is now in condition for allowance.

The examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

DATE: 4/1/2006

Respectfully submitted,



Stephen R. Loe  
Reg. No. 43,757  
The Law Office of Stephen R. Loe  
P.O. Box 649  
Frisco, TX 75034  
(972) 712-4881  
Attorney for Applicant